

March 3, 1983

LB 9, 44, 45, 46, 160,
185, 207, 208

CLERK: (Read the record vote as found on page 741 of the Legislative Journal, 45 ayes, 2 nays, 2 excused and not voting.)

SPEAKER NICHOL: LB 185 passes. LB 208.

CLERK: Mr. President, if I may right before that, I have an explanation of vote from Senator Haberman and an Attorney General's Opinion addressed to Senator Beutler. (See pages 741-743 of the Legislative Journal regarding LB 44.)

Your committee on Education reports LB 9 advanced to General File; 207 General File with committee amendments attached; 45 indefinitely postponed; 46 indefinitely postponed; 160 indefinitely postponed. All signed by Senator Vickers. (See page 743 of the Legislative Journal.)

Mr. President, with respect to LB 208, I have a motion pending by Senator Wesely. Senator Wesely would move to return LB 208 to Select File for a specific amendment. The amendment is on page 693 of the Journal.

SPEAKER NICHOL: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker. Members of the Legislature, the amendment that I am proposing at this time was brought to me by a constituent who is a small business woman, owns a small business in Lincoln, and is concerned about bad checks. I think we all have had our business constituents contact us about that problem. We have a serious problem with bad checks. We need to do something about that problem and her concern was that LB 208 rather than helping would harm the small business person and thought that there might be another way to deal with the problem. So the amendment before you takes the idea of LB 208 which was to increase the fee that is charged to these individuals for writing the bad check which is increased from 2 to 7 dollars under the bill, and continues to do that, increases that fee. But instead of assessing that if they don't collect the bad check against the small business owner, they would assess that only to the bad check writer who then they are able to collect the fee from. The problem is this, and I think you have got a handout that I passed around. One is a letter that explains a concern from the small business person that I am working with on this, and the other is a process outline for what happens when you have a bad check. You will see from that that the system that we now have is essentially this. You have a bad check, you go to the county attorney and give them \$2 and ask them to try and ask them to try and collect it for you. That \$2 then goes into the county treasurer. If the county attorney is successful in getting that check paid, they get not only the money